

MINUTES
UTAH
PROFESSIONAL COUNSELORS
BOARD MEETING

June 11, 2007

Room 402 – 4th Floor – 9:00 A.M.
Heber Wells Building
Salt Lake City, UT 84111

CONVENED: 9:08 A.M.

ADJOURNED: 11:20 A.M.

Bureau Manager:
Board Secretary:

Noel Taxin
Karen McCall

Board Members Present:

Dean Workman, Chairperson
Russell C. Gaede, Psy.D.
Gloria Miley

Board Members Absent:

Linda S. Protzman
Vacant Position

Guests:

H. Gray Otis, Ph.D., LPC
Jeanie Erikson, Webster University
Mary Jane Chase, Dean of Arts & Sciences,
Westminster College
Jason King, LPC
Robert H. Snarr, LPC, Utah Mental Health
Janie Wanlass, Ph.D., Westminster College
Colleen M. Sandor, Ph.D., Westminster College
Jeri Sena, LPC

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

MINUTES:

The minutes from the April 12, 2007 Board meeting will be read and approved at the regularly scheduled Board meeting on July 17, 2007.

APPOINTMENTS:

9:00 A.M. to 12:00 P.M.

Laws and Rules Review

Ms. Taxin explained that this meeting was called with guests invited to discuss the validity of the Professional Counselor Extern license. She stated that

the Professional Counselor profession has 3 levels of licensing:

1. The Professional Counselor License.
2. The Certified Professional Counselor Intern License, which is issued to people who have graduated and met education requirements for the purpose of obtaining 4000 hours of supervised experience and to complete the 3 required examinations to be licensed as a Professional Counselor. This license is issued for a 3 year period but may be extended if the hours are not yet completed.
3. The Professional Counselor Extern License, which is for people who may have a pre-requisite degree but are short a few classes as they did not graduate from a Utah program. This license is issued for 3 years and cannot be extended or renewed.

Ms. Taxin stated that people are submitting applications for Professional Counselor Extern Licensing that do not meet the Psychology licensing requirements or the MFT licensing requirements but they don't have the required specific courses. She stated that these people feel it is the same type of coursework as the MFT or Psychology programs and the Division has come to the conclusion that the programs are different. Ms. Taxin stated that the Professional Counselor area has become the melting pot for those who do not meet licensing requirements in the areas of education.

Ms. Taxin referred to 58-60-117 of the Mental Health Practice Act, (d) which reads: has one or more deficiencies in course work, experience, or training. She explained that applicants are submitting applications with 3 to 11 deficiencies. She stated that at first it was not very common to receive an Extern application but now people are finding out that their friend received an Extern license and they want one also. Ms. Taxin stated that many of the applicants have not completed a DSM class and we are giving them a license to practice supervised mental health therapy without the educational background to practice safely. She stated that the Extern hours do not count toward the required 4000 hours of supervised mental

health therapy. Ms Taxin stated that the Extern licensing area needs to be better clarified such as, if the applicant does not have specific core mental health therapy classes we do not issue the license as we do not want some one to be hurt. She stated that the Board is here to protect the public.

Dr. Gaede read the full requirements in the Law for the Externship license.

Ms. Taxin explained that Extern licensees have 3 years to complete the education which is quite a long period of time. She stated that most people procrastinate taking the classes and don't start them until the 3 years is nearly over. Ms. Taxin also explained that it has come to the attention of the Division that several Externs are in private practice which means they have no supervision. She stated that this is a problem.

Ms. Taxin recommended that a pre-requisite to apply for the Extern license should be proof of a Professional Counselor degree so that Extern licenses are not issued to unqualified applicants. She stated that she has tried to accommodate applicants by requesting course descriptions and/or syllabi and then spending a great deal of time reviewing the information to determine if the courses will meet the Utah requirements as outlined by the Laws and Rules.

Mr. Workman stated that there is some confusion based on the language of the Externship regarding who may apply, the expectations, course requirements and if it is 2 courses or any number of courses to meet the requirements for the Extern license. He stated that there appears to be more individuals applying that have School Psychology degrees, Educational Counseling degrees for example and the degree should be a mental health therapy degree in order to consider the application for licensing. Mr. Workman stated that the Association should change the Law and then the Board can write the Rules.

Ms. Taxin responded that the Board does write the Rules to define the Law. She stated that if the Law is not changed the Board can adapt the Rules in some

areas based on rule making authority. Ms. Taxin explained that the Extern license applies to all mental health therapy professions and all the mental health therapy Boards will probably need to meet together for a discussion for clarification and recommendations. She stated that the Professional Counselors are the largest group that has Extern applications coming in and licenses issued. She stated that she believes the Extern license option was intended for applicants who obtained their education from outside Utah.

Mr. Workman commented that the Extern section of the Mental Health Therapy Law does not specify what type of degree is required as there is no identification of education or who may apply. He stated that he has a concern regarding how the Board delineates programs and who may apply for the Extern license.

Ms. Taxin responded that the Rules identify which programs do not lead to the Professional Counselor license. She stated that the Board has reviewed programs that are all education based courses and do not have any clinical emphasis. Ms. Taxin stated that applicants want the license so they can work as they cannot obtain employment in their specific degree area.

Dr. Gaede stated that reviews are difficult as many of the applicants have been licensed in other States but do not have the mental health therapy classes to practice safely.

Ms. Taxin responded that when complaints come in and an investigator goes out to interview. She stated that the Extern's are saying they do not need the education completed for 3 years.

Jeanie Erikson, Webster University, asked if issuing the Extern licenses is a recent thing that the Division has been doing.

Ms. Taxin responded that few Extern licenses have been issued since it became part of the Mental Health Therapy Law, but recently the Division has been receiving more applications. She explained that the

intent is to protect the public and not to issue licenses to unqualified people so they can work. She stated that she has talked with many supervisors who are allowing the Extern licensees to collect their mental health therapy hours and encourage them to apply for the Professional Counselor license when they have not completed the education requirements. She stated that the supervisor's are not giving the Externs the extra supervision that they would need.

Jeanie Erikson, Webster University, asked if the Externs are notified that they are short the correct hours.

Ms. Taxin responded that a letter is sent out to the applicant identifying the deficiencies.

Jeanie Erikson, Webster University, asked if the Externs are submitting documentation at time of application of who their supervisor will be.

Ms. Taxin responded that there is no requirement for the Extern to notify the Division of who their supervisor will be and there is no requirement for the Extern to notify the supervisor that they have received a letter regarding the courses they must take to be licensed as a Certified Professional Counselor Intern. She stated that when applications are received for Professional Counselor she should probably just deny the application but has tried to work with the applicants and educate them as to the process.

Colleen M. Sandor, Ph.D., Westminster College, asked why a copy of the letter is not also sent to the supervisor.

Ms. Taxin responded that many of the applicants are not employed. She stated that there are also many who have employment but do not note that information in their application and then try to count those hours when they apply for the Professional Counselor license.

H. Gray Otis, Ph.D., LPC, commented that he believes the Extern license was intended for people who are in programs that lead to licensure or have been in

programs that lead to licensure. He stated that he believes the Extern section needs better clarification.

Ms. Taxin stated that the Extern section needs clarification regarding that the expectation is to complete the deficient education in a time frame less than the current 3 year requirement. She stated that the Extern should not be deficient more than 1 to 3 classes and identify what classes cannot be deficient in order to apply for this classification and the Rule should state what the intent for this classification is and apply for the Professional Counselor Extern to get the Intern license.

H. Gray Otis, Ph.D., LPC, asked why the Social Work licensing is different than the other mental health therapy professions.

Ms. Taxin responded that the Social Work education requirement is graduation from a CSWE accredited program in Social Work. She stated that the Social Work requirements do not allow applicants to graduate from any type of program and then complete additional classes to meet the education requirements.

H. Gray Otis, Ph.D., LPC, asked why the Board is having this discussion if applicants have graduated from CACREP accredited programs.

Ms. Taxin responded that that all CACREP accredited programs are not 60 semester hours or 90 quarter hours in specific coursework as required by the Utah Law and Rules.

Jason King, LPC, commented that he does not understand the discussion as CACREP accredited programs are all 60 semester hours.

Ms. Taxin again explained that Utah has specific course requirements and not all CACREP accredited programs meet those specific requirements.

Colleen M. Sandor, Ph.D., Westminster College, asked if a transcript says a degree in Psychology with an emphasis in Mental Health Counseling, how does the Division interpret the degree.

Ms. Taxin responded that the degree would be considered as a Psychology degree. She stated that if all mental health therapists are doing Psychology, Marriage and Family Therapy, Clinical Social Work and Professional Counseling she wonders why there are different licenses for the same mental health therapy.

Mr. Workman stated that in the review of the Webster University and Westminster College proposed education for Professional Counselors the education appears to be the same as the University of Phoenix. Mr. Workman asked if the Board wants the Professional Counselor licensing to be the dumping ground for applicants who are unable to obtain employment in their field of education. He asked if the education visitors want to allow this situation to continue. Mr. Workman stated that the Board has reviewed California education programs that have the Marriage and Family Therapy education but are unable to qualify for the Marriage and Family Therapy license as they don't meet Utah's requirements so they are applying for the Professional Counselor Extern license.

Ms. Taxin explained that there are several licensees who have completed the Psychology Resident requirements but have not completed the examinations to be licensed as a Psychologist. She stated that they are applying for the Professional Counselor Extern license so they can continue working while they take the Psychology examinations. She stated that most have no intention of completing the requirements for Professional Counselor licensing. Ms. Taxin stated that when the Law and Rules require a class in Professional Roles and Standards, the transcripts should identify Professional Roles and Standards.

Jason King, LPC, commented that the Professional Counselor profession is becoming blurry.

Ms. Taxin stated that if the standard was clarified applications could be denied when they do not meet the specific requirements. She stated that the Extern license is for a 3 year period which is longer than the 2

year renewal cycle for the Professional Counselor. Ms. Taxin stated that she believes the Division has the data to document the Extern license is a problem. She stated that if the Association opened the Law the Division would be supportive of a change. Ms. Taxin asked the Board how many course deficiencies are reasonable. She stated that she believes 2 course deficiencies is reasonable but the deficiencies should not include the requirements of 2 semester hours or 3 quarter hours in Psychopathology and DSM and 2 semester hours or 3 quarter hours in Advanced Courses in Assessment of Mental Status. Ms. Taxin stated that most applications are deficient the requirements of 2 semester hours or 3 quarter hours in Psychopathology and DSM and 2 semester hours or 3 quarter hours in Advanced Courses in Assessment of Mental Status. She stated that she believes licenses should be issued when education is complete.

Colleen M. Sandor, Ph.D., Westminster College, stated that she has a problem with the Professional Counselor profession being a default profession.

Ms. Taxin stated that she does not believe it is wrong to require education to be completed prior to being licensed. She asked if anyone else believes the Extern licensing classification is necessary.

H. Gray Otis, Ph.D., LPC, responded that he agrees with Ms. Taxin that anyone applying from another State may be issued an Extern license only if they are deficient 1 or 2 courses but not the 2 semester hours or 3 quarter hours in Psychopathology and DSM and 2 semester hours or 3 quarter hours in Advanced Courses in Assessment of Mental Status.

Ms. Taxin stated that the language needs to be written differently. She asked the Board and guests to review the education portion of the Rules and identify areas that need changing or better clarification.

The Board and guests reviewed R156-60c-302a. Qualifications for Licensure – Education Requirements.

Ms. Taxin referred to Section (2).

The Board determined Section (2) (a) is self explanatory.

The Board requested Section (2) (b) read “a minimum of two semester or three quarter hours shall be in professional counselor roles and functions, trends and history, professional preparation standards and credentialing”.

The Board determined Section (2) (c), and (d) are self explanatory.

Mr. Workman recommended Section (2) (e) read “a minimum of six semester or nine quarter hours shall be in coursework dedicated to specific development periods and spectrum of the life span and career development”.

The Board recommended Sections (2) (f), (g), (h), (i), (j), (k), (l), (m), (n) and (o) be reviewed at a later date.

Robert H. Snarr, LPC, Utah Mental Health, stated that the Association could change the Extern section of the Law if that would assist in the review of the applications.

Ms. Taxin stated that making a change in the Extern section of the Law would help. She stated that maybe this section does not apply to the Professional Counselors and should be taken out for their profession. Ms. Taxin stated that if it is left in the Law it should be more specific regarding the course deficiencies to be licensed. Ms. Taxin stated that those who are currently licensed should be allowed to continue with the license until it expires. She stated that there is currently no extension or renewal of the Extern license.

Dr. Gaede recommended the Extern requirements be defined by Rule with the requirement of the classes to be completed when the license expires. He stated that the Rules could require the Professional Counselor Extern license only be issued for one year or two years as it would not

affect other professions.

Jeanie Erekson, Webster University, responded that some courses are not offered each semester. She asked if there is a way to stop Extern licensees from procrastinating.

Ms. Taxin responded that there is no way to stop Extern licensees from procrastinating.

Jason King stated that an applicant cannot be licensed as a Certified Professional Counselor Intern without the basic education requirements and the Extern license allows them to practice without that basic education.

Ms. Taxin stated that the average deficiencies are about 8 classes. She again stated that the Extern licensees are not disclosing to their employers what it means to have the Extern license. She stated that she believes the Board is on the right path to correct the problems. She recommended another meeting be scheduled and requested Robert H. Snarr to draft a proposed change in the Law for her to review.

Ms. Taxin stated that the degree requirement should be a Professional Counselor degree and no more than 3 course deficiencies which would not include deficiencies in Psychopathology and DSM Classification, Advanced Courses in Assessment of Mental Status or the Internship.

Mr. Workman asked for discussion regarding continuing the Utah Laws and Rules examination.

Ms. Taxin stated that the Utah Laws and Rules examination does not identify if someone is a safe practitioner. She stated that it makes more sense to her to include an examination in the application. Ms. Taxin stated that currently applicants sign a form in the application that they have read and understand the Laws and Rules. She stated that the Psychology profession has had several problems registering and taking the Utah Laws and Rules examination but there have not been significant problems for Professional Counselors. Ms. Taxin stated that the Board could

write 10 questions for the application as the applicant will still be signing the form that they have read and understand the Laws and Rules and the renewal forms also require a signature that the licensee has read and understands the Utah Laws and Rules. Ms. Taxin stated that a Law change is not required to include the examination in the application.

H. Gray Otis, Ph.D., LPC, commented that a 10 question examination in the application would be a good choice as there are 2 additional examinations required for Professional Counselor licensing.

Ms. Taxin stated that if the examination is failed the license is not issued. She stated that the application is a legal contract document and the onus is on the applicant to be sure it is completed properly.

Dr. Gaede made a motion to include 10 Laws and Rules questions in the application.

Ms. Miley seconded the motion.

During discussion Ms. Taxin asked if the Board recommends the question be written and reviewed prior to pulling the examination out of Thomson Prometric.

Dr. Gaede amended the motion to include 10 Laws and Rules questions in the application and have the questions written prior to pulling the current examination from Thomson Prometric.

Ms. Miley seconded the motion

The Board vote was unanimous.

Ms. Taxin requested each Board member to write 5 questions based on the Laws and Rules and to be sure to include the references for the answers. She suggested the Board include questions in areas that they have noticed there have been issues. Ms. Taxin requested the questions be submitted at the next scheduled Board meeting.

Robert H. Snarr, LPC, Utah Mental Health, asked Ms.

Taxin who sponsored the Mental Health Therapy Bill in the 2007 Legislative session.

Ms. Taxin responded that she will contact him with the information. She stated that it is timely for the Professional Counselor Association to consider and tighten the Extern issue at this time. She stated that out of State applicants still have the option of endorsement after they have been licensed and practicing for 3 years immediately preceding applying in Utah.

Ms. Taxin requested the Board to review the remainder of the education requirements for further discussion at the July 17, 2007 Board meeting.

NEXT MEETING SCHEDULED FOR: July 17, 2007

ADJOURN: Motion to adjourn by

The time is 11:20 am and the meeting is adjourned.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

July 17, 2007
Date Approved

(ss) Dean Workman
Chairperson, Utah Professional Counselors Licensing Board

July 2, 2007
Date Approved

(ss) Noel Taxin
Bureau Manager, Division of Occupational & Professional Licensing